IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 30TH OCTOBER 2007 / 8TH KARTHIKA 1929

WP(C).No. 32146 of 2007(B)

PETITIONER:

S.HARIDAS, LEKHA BHAVAN,
MANNOOR BHAGOM, ALAMCODE P.O., ATTINGAL,
THIRUVANANTHAPURAM DIST. (CHARGEMAN, RETIRED ON 30.09.2006 FROM CENTRAL WORKS, PAPPANAMCODE.)

BY ADV. SRI.R.GOPALAKRISHNAN (SREEVALSAM)

RESPONDENTS:

KSRTC, REPRESENTED BY THE
MANAGING DIRECTOR, KSRTC, THIRUVANANTHAPURAM.

BY ADV.SRI.K.PRABHAKARAN, SC.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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W.P.(c).No.32146 OF 2007

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Dated this the 30th day of October , 2007

JUDGMENT

Petitioner retired as Chargeman from the respondent Corporation on 30/09/2006. Petitioner seeks payment of pensionary benefits overlooking seniority. Petitioner has produced Ext.P1 notice in support of his claim. He has also produced Ext.P2 which purports to be the notice for sale of the property to recover the amount due from the petitioner. It is stated that wife of the petitioner and children are unemployed and he has no other source of income.

I heard learned counsel for the respondent Corporation also. The writ petition is disposed of directing the respondent to pay to the petitioner the amount due as DCRG or Commuted Value of Pension whichever is higher within a period of one month from the date of receipt of a copy of this judgment. The direction to release the amount as aforesaid need be complied with only after retaining such amount as is necessary to clear any liability due from the petitioner on the strength of any agreement executed by him or due from him to the Corporation.

(K.M.JOSEPH, JUDGE)

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